Permit Fact Sheet

General Information

Permittee Name and Address:	**Rushing Waters Fisheries, Inc.** N301 Hwy H PO Box H Palmyra, WI 53156-0386
Permit Number:	**WI-0022756-10-0**
Proposed Permit Term:	October 1, 2020 through September 30, 2025
Receiving Water:	Unnamed Tributary to Spring Creek
StreamFlow ($Q_{7,10}$):	0.034 cfs (Calculated based on watershed size by L. Benson)
Stream Classification:	Current use designation: Limited Forage Fish Community. Attainable use designation: Warm Water Forage Fish. Spring Creek Designated use: Warm Water Sport Fish Community.

Facility Description

Rushing Waters Fisheries Inc., located near Palmyra Wisconsin, grows, harvests, and processes approximately 250,000 pounds of rainbow trout each year for restaurants and grocery stores. This facility consists of fifty-six spring fed ponds which flow by gravity to Outfall 001. Since 2006, Rushing Waters Fisheries has discharged approximately 1.7 MGD through Outfall 001. Chemical and antibiotics are not used in the rainbow trout production, although salt is infrequently added to reduce fish stress. There were no upgrades to this facility during the previous permit term.

A-B, C-D, and E-F pond series are emptied approximately two times a year to remove solids, and the contents are discharged into sedimentation ditches, with the exception of the top four ponds from the A-B pond series (A1, B1, A2, and B2) which are discharged directly (i.e. no sedimentation ditch) to a nearby wet area (Outfall 004).

Every five years or longer, solids are removed from the sedimentation ditches and the LP Settle Pond and landspread onsite on Department approved landspreading sites (Outfall 002). Overflow from the A-B and C-D ditches are discharged to nearby wet areas (Outfalls 005 and 006, respectively). Overflow from the E-F ditch is discharged to Outfall 001.

Fish processing and sanitary wastes are discharged to an onsite subsurface drainage field (Outfall 003). Since 2006, Rushing Waters Fisheries has discharged under 1,000 gallons per day through Outfall 003.

Effluent Limitations Guidelines – Concentrated Aquatic Animal Production

On June 30, 2004, the U.S. Environmental Protection Agency (USEPA) completed regulations under the Clean Water Act establishing effluent limitations guidelines (ELGs) and new source performance standards for the concentrated aquatic animal production (CAAP) point source category. The ELGs require management practices and record-keeping activities, rather than numerical discharge limitations. The ELGs were promulgated on August 23, 2004 in 40 CFR 451.

The requirements in 40 CFR 451.11 can be found in the USEPA Compliance Guide for the Concentrated Aquatic Animal Production Point Source Category. *http://water.epa.gov/scitech/wastetech/guide/aquaculture/guidance_index.cfm*

2011 Wisconsin Act 207 was enacted on April 2, 2012. Section 15 of 2011 Wisconsin Act 207 created 283.31 (5m) Wis. Stats. which reads:

> 283.31 (5m) PERMITS FOR CERTAIN CONCENTRATED AQUATIC ANIMAL PRODUCTION FACILITIES
>
> The Department shall include permits issued under this section for concentrated aquatic animal production facilities described in 40 CFR 451.10 requirements that are based on, and are not more stringent than, the requirements in 40 CFR 451.11.
>
> *http://www.gpo.gov/fdsys/granule/CFR-2010-title40-vol29/CFR-2010-title40-vol29-part451/content-detail.html*

40 CFR 451.10 applies to the discharge of pollutants from a CAAP facility that produces 100,000 pounds or more per year of aquatic animals in a flow-through or recirculating system. Rushing Waters Fisheries exceeds the production threshold of 100,000 pounds or more per year. The proposed permit includes the requirements in 40 CFR 451.11.

Sample Point Designation

Sample Point Designation		
Sample Point Number	**Discharge Flow, Units, and Averaging Period**	**Sample Point Location, WasteType/sample Contents and Treatment Description (as applicable)**
001	1.95 MGD (Oct 2015 – March 2020)	Effluent: Pond overflow and E-F ditch overflow waters. Grab samples taken in the Unnamed Tributary to Spring Creek via Outfall 001.
003		Land Treatment: Representative grab samples taken at the last manhole near sand filter prior to subsurface drainage field.
004	Discontinued; discharge is directed to 001 during pond clean out.	Effluent: Pond clean out waters from ponds A1, B1, A2, and B2. Grab sample taken of the discharge to wetland when pond clean out occurs. Monitoring only required in months discharge occurs.
005	Discontinued; discharge is directed to 001 during pond clean out.	Effluent: Overflow from the A-B Ditch. Grab sample taken of the discharge to wetland. Monitoring only required in months discharge occurs.
006	Discontinued; discharge is directed to 001 during pond clean out.	Effluent: Overflow from the C-D Ditch. Grab sample taken prior to discharge to the internally drained wetland. Monitoring only required in months discharge occurs.
002	Inactive: no use during previous permit term.	Land Application: Grab composite sample of solids from the A-B Ditch shall be sampled prior to landspreading either off site or on site. Monitoring only required in years land application occurs.
007	Inactive: no use during previous permit term.	Land Application: Grab composite sample of solids from the C-D Ditch shall be sampled prior to landspreading off site and on site. Monitoring only required in years land application occurs. **This outfall is inactive. Contact the Department prior to use to activate.**
008	Inactive: no use during previous permit term.	Land Application: Grab composite sample of solids from the E-F Ditch shall be sampled prior to landspreading off site and on site. Monitoring only required in years land application occurs. **This outfall is inactive. Contact the Department prior to use to activate.**

Sample Point Designation		
Sample Point Number	**Discharge Flow, Units, and Averaging Period**	**Sample Point Location, WasteType/sample Contents and Treatment Description (as applicable)**
009	Inactive: no use during previous permit term.	Land Application: Grab composite sample of solids from the LP Settling Pond (No Fish) shall be sampled prior to landspreading off site and on site. **Monitoring only required in years land application occurs.**

1 Best Management Plan Requirements

1.1 Best Management Practices

A Best Management Practices (BMP) plan is a description of the standard operating procedures and actions required to control solids, store materials, maintain the aquatic animal containment structures, perform record-keeping, train employees, closely monitor feeding, collect and dispose of waste, address transport or harvest discharge, and remove dead aquatic animals.

Changes from Previous Permit

The inclusion of the concentrated aquatic animal production (CAAP) effluent limitations guidelines (ELGs) and associated BMP plan is not a change from the previous permit. The proposed permit has no further reduced effluent limitations and monitoring requirements based on the CAAP ELGs. The permittee is subject to additional TMDL limitations. Rushing Waters will be expected to maintain these performance levels to continue to receive these monitoring frequencies. Historical performance can be demonstrated through both compliance and enforcement history and a demonstrated ability to consistently reduce pollutants in the discharge below the levels necessary to meet existing permit requirements. Verification of this requirement will be based on a minimal level of monitoring and successful implementation of BMPs. Reduction of monitoring requirements will be evaluated for each permit reissuance.

The required reporting and BMP plan include reporting of additives and drugs. These requirements can be met by supplying the Department with certification of non-use or inclusion of a statement of non-use in the BMP plan.

The permittee may submit alternative BMPs to meet Section 1 of the permit for Department approval as there are multiple ways for a permittee to meet these standards. Any proposed work that requires plan and specification approval must be submitted to the Department in accordance with ch. NR213, Wis. Adm. Code. Department staff will assist the permittee with permits required from other WDNR programs should other permits be required.

2 Surface Water - Proposed Monitoring and Limitations

Sample Point Number: 001- Hatchery outfall

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Flow Rate		MGD	Monthly	Calculated	Calculate the flow on the same day TSS and TP sampling occurs.

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
BOD5, Total		mg/L	Quarterly	Grab	
Suspended Solids, Total		mg/L	Quarterly	Calculated	
Suspended Solids, Total	Daily Max	400 lbs/day	Quarterly	Calculated	January, March, October and December
Suspended Solids, Total	Daily Max	440 lbs/day	Quarterly	Calculated	February
Suspended Solids, Total	Daily Max	360 lbs/day	Quarterly	Calculated	April
Suspended Solids, Total	Daily Max	300 lbs/day	Quarterly	Calculated	May
Suspended Solids, Total	Daily Max	260 lbs/day	Quarterly	Calculated	June
Suspended Solids, Total	Daily Max	220 lbs/day	Quarterly	Calculated	July
Suspended Solids, Total	Daily Max	340 lbs/day	Quarterly	Calculated	August
Suspended Solids, Total	Daily Max	420 lbs/day	Quarterly	Calculated	September and November
Suspended Solids, Total	Monthly Avg	167 lbs/day	Quarterly	Calculated	January, March, October and December
Suspended Solids, Total	Monthly Avg	184 lbs/day	Quarterly	Calculated	February
Suspended Solids, Total	Monthly Avg	151 lbs/day	Quarterly	Calculated	April
Suspended Solids, Total	Monthly Avg	126 lbs/day	Quarterly	Calculated	May
Suspended Solids, Total	Monthly Avg	109 lbs/day	Quarterly	Calculated	June
Suspended Solids, Total	Monthly Avg	92 lbs/day	Quarterly	Calculated	July
Suspended Solids, Total	Monthly Avg	143 lbs/day	Quarterly	Calculated	August
Suspended Solids, Total	Monthly Avg	176 lbs/day	Quarterly	Calculated	September and November
Nitrogen, Ammonia		mg/L	Quarterly	Grab	

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
(NH3-N) Total					
pH Field		su	Monthly	Grab	Quarterly when Nitrogen, ammonia sampling is required, sample pH on the same day ammonia sampling occurs.
Phosphorus, Total	Monthly Avg	0.65 mg/L	Monthly	Grab	This is an interim MDV limit. See the MDV/Phosphorus sections and schedules.
Phosphorus, Total		lbs/month	Monthly	Calculated	Report the total monthly phosphorus discharged in lbs/month on the last day of the month on the DMR. See Standard Requirements for 'Appropriate Formulas' to calculate the Total Monthly Discharge in lbs/month.
Phosphorus, Total		lbs/yr	Annual	Calculated	Report the sum of the Total Monthly Discharges for the calendar year on the Annual Report form.
Temperature Maximum		deg F	3/Week	Continuous	Monitoring only in 2024

Changes from Previous Permit

Shaded cells indicated changes in sampling or limitations. TSS mass limitations effective immediately for each month of the year. Temperature monitoring added for 2024. The permittee has applied for a multi-discharger variance (MDV) for phosphorus for this permit term and the application has been approved by the Department. An MDV interim limit of 0.65 mg/L has been added effective immediately. This limit represents the highest attainable condition (HCA). The permittee is now required to report the total amount of phosphorus discharged in lbs/month and lbs/year. By March 1 of each year the permittee shall make a payment(s) to participating county(s) of $54.23 per pound of phosphorus discharged during the previous year in excess of the target value of the Rock River TMDL limits.

Explanation of Limits and Monitoring Requirements

Refer to the Water Quality Based Limitations (WQBELs) memo dated July 16, 2020.

Multiple Parameters: As stated above, the proposed permit includes the requirements in 40 CFR 451.11. While the goal of applying the requirements in 40 CFR 451.11 to Rushing Waters is to reduce the burdens associated with reporting and monitoring, a minimal level of monitoring is required in order to characterize the wastewater discharge. Monitoring requirements were evaluated against other fish hatcheries, current State and Federal regulations, as well as the flow of 1.7 MGD annual average discharge.

Flow: Collection of flow data is critical to the calculation of TP and TSS mass discharge. These data are used for all water quality based effluent calculations including Rock River TMDL mass limitations. Accurate flow measurement is also a requirement of all industrial wastewater dischargers pursuant to s. NR 218.05, Wis. Adm. Code.

BOD_5: BOD monitoring and limits in past permits were based on best professional judgment for effluent characteristics of hatcheries. It is expected that the discharger could achieve effluent concentrations as low as 5 mg/Lin summer and therefore limits have been removed because there is no reasonable potential to exceed water quality based effluent limits.

Total Suspended Solids: Daily maximum and monthly average mass limits for total suspended solids were required to comply with the Rock River TMDL and were derived consistent with the assumptions and requirements of the EPA-approved WLA for the Rock River. Sampling has been set equal to the BOD sampling at quarterly samples. However, it is recommended that the permittee consider the need for additional sampling to meet the requirements of the TSS TMDL limitations.
The approved TSS TMDL mass limits for this permittee are included in the following table below:

Total Suspended Solids (TSS) Effluent Limitations

Month	Monthly Ave TSS Effluent Limit (lbs/day)	Daily Max TSS Effluent Limit (lbs/day)
Jan	167	400
Feb	184	440
March	167	400
April	151	360
May	126	300
June	109	260
July	92	220
Aug	143	340
Sept	176	420
Oct	167	400
Nov	176	420
Dec	167	400

Ammonia: While the Department is required to set water quality-based effluent limitations (WQBELs) with monitoring requirements to protect water quality of the receiving water body, Rushing Waters has implemented a BMP plan and is subject to the CAAP ELGs. The ammonia data reviewed for this permit reissuance indicates that the facility has been able to achieve acceptable ammonia levels in discharge such that there is no reasonable potential that the discharge will exceed calculated limitations. No changes have been proposed, quarterly monitoring will continue.

pH: While the Department is required to set water quality-based effluent limitations (WQBELs) with monitoring requirements to protect water quality of the receiving water body, monitoring data for pH suggests that this facility has been able to consistently discharge between 6 and 9 su pH. In addition, Rushing Waters is subject to CAAP ELGs; therefore the monitoring frequency is reduced in accordance with the Effluent Limitations Guidelines for Concentrated

Aquatic Animal Production (CAAP) Facilities. No changes have been proposed. In quarters ammonia sampling is required the permittee shall take pH samples on the same day ammonia sampling occurs.

Temperature: Based on reported temperature data no limit is required, however sampling for one full year in 2024 is included for permit reissuance purposes.

Phosphorus: The administrative rules for phosphorus discharges took effect on December 1, 2010. Details may be found at: http://dnr.wi.gov/topic/surfacewater/phosphorus.html. Mass limits were calculated to comply with the Rock River TMDL and were derived consistent with the assumptions and requirements of the EPA-approved WLA for the Rock River. Limits for the permit were determined using the code changes and the provision of the TMDL. The final effluent limits for phosphorus are expressed as monthly averages.

For this permit term, the permittee has applied for the Multi-Discharger Variance (MDV) for phosphorus as provided for in s. 283.16, Wis. Stats., and approved by USEPA on February 6, 2017 until February 5, 2027. The permittee qualifies for the MDV because it is an existing source and a major facility upgrade is needed to comply with the applicable phosphorus WQBELs, thereby creating a financial burden. The existing limit of 1.0 mg/L rolling 12-month average is a TBEL for this permittee and is effectively permanent to prevent backsliding. However, more stringent TMDL mass limits apply. These limitations are in addition to s. 217.13, Wis. Adm. Code concentration limits. Given the resent data variability the most stringent limits for this permittee may change. In either case, the most stringent of a TBEL, WQBEL, TMDL limit applies which may be concentration or mass. At the time of permit reissuance, it appears the TMDL mass limitations are the most stringent and the permittee may not be able to meet these limits year-round. Therefore, they have applied for the MDV while working towards Water Quality Trading for a long-term compliance option. The MDV interim limit of 0.65 mg/L monthly average is effective upon reissuance.
Conditions of the MDV require the permittee to optimize phosphorus removal throughout the proposed permit term, comply with interim limits and make annual payments to participating county(s) by March 1 of each year based on the pounds of phosphorus discharged during the previous year in excess of the specified target value. The "price per pound" value is $50.00 adjusted for CPI annually during the first quarter as defined by s. 283.16(8)(a)2, Wis. Stats and takes effect for reissued permits with effective dates starting April 1. The permit reissuance be delayed this may differ from the "price per pound" that is public noticed; however, the "price per pound" is set upon the effective date of reissuance and is applicable for the entire permit term. The participating county(s) uses these payments to implement non-point source (agricultural and urban) phosphorus control strategies at the watershed level.

The approved total phosphorus TMDL mass limits for this permittee are included in the following table below:

Total Phosphorus Mass Effluent Limitations

Month	Monthly Average Total P Effluent Limit (lbs/day)
Jan	1.94
Feb	2.09
March	2.00
April	2.18
May	2.22
June	2.33
July	2.02
Aug	1.90
Sept	1.73
Oct	1.74
Nov	1.80

Dec	1.87

Sample Point Number: 004- A1, B1, A2, B2 Pond Discharge

Changes from Previous Permit

Outfall discontinued. The permittee has changed practices as part of the on-going BMPs for CAAP facilities to direct pond discharge water to Outfall 001.

3 Land Treatment – Proposed Monitoring and Limitations

Sample Point Number: 003- Subsurface Absorption System

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Flow Rate		gpd	Quarterly	Total Daily	
Nitrogen, Nitrite + Nitrate Total		mg/L	1/ 6 Months	Grab	
Nitrogen, Ammonia (NH3-N) Total		mg/L	1/ 6 Months	Grab	
Nitrogen, Total Kjeldahl		mg/L	1/ 6 Months	Grab	
Iron, Total Recoverable		mg/L	1/ 6 Months	Grab	
Chloride		mg/L	1/ 6 Months	Grab	

Changes from Previous Permit:

No changes

Explanation of Limits and Monitoring Requirements

Consistent with other similar treatment systems and previous permit and Subsurface Discharge GP (WI-0062901)

4 Land Application - Sludge/By-Product Solids (industrial only)

Sample Point Number: 002- Fish Manure from AB Ditch; 007- Fish Manure from CD Ditch; 008- Fish Manure from EF Ditch, and 009- LP Settling Pond Solids

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Flow Rate		gal/month	Monthly	Estimated	
Solids, Total		Percent	Annual	Grab Comp	

Monitoring Requirements and Limitations					
Parameter	**Limit Type**	**Limit and Units**	**Sample Frequency**	**Sample Type**	**Notes**
Nitrogen, Total Kjeldahl		Percent	Annual	Grab Comp	
Chloride		Percent	Annual	Grab Comp	
pH Field		su	Annual	Grab Comp	
Nitrogen, Ammonium (NH4-N) Total		Percent	Annual	Grab Comp	
Phosphorus, Total		Percent	Annual	Grab Comp	
Phosphorus, Water Extractable		% of Tot P	Annual	Grab Comp	
Potassium, Total Recoverable		Percent	Annual	Grab Comp	

Changes from Previous Permit:

No changes

Explanation of Limits and Monitoring Requirements

Monitoring (other than flow rate) reflects basic land application monitoring requirements required when land application occurs. Land Application Management Plans and Desludging Plans are consistent with other land application permits. These plans will be used in conjunction with the facility's BMP plan and may be combined with the BMP plan if desired. The permittee uses one location for land application.

5 Schedules

5.1 Best Management Practices

BMP meeting requirements of Confined Aquatic Animal Production Facilities.

Required Action	Due Date
Annual Report: Submit an annual BMP report that shall indicate which BMPs were implemented during the previous calendar year. The report shall include the items required in Section 1 of the permit. The report shall also include an analysis of the effectiveness of BMPs implemented, how the operation of the facility was optimized, and plans for future BMP use.	01/31/2021
Annual Report: Submit an annual BMP report that shall indicate which BMPs were implemented during the previous calendar year. The report shall include the items required in Section 1 of the permit. The report shall also include an analysis of the effectiveness of BMPs implemented, how the operation of the facility was optimized, and plans for future BMP use.	01/31/2022
Annual Report: Submit an annual BMP report that shall indicate which BMPs were implemented during the previous calendar year. The report shall include the items required in Section 1 of the permit. The report shall also include an analysis of the effectiveness of BMPs implemented, how the operation of the facility was optimized, and plans for future BMP use.	01/31/2023

Annual Report: Submit an annual BMP report that shall indicate which BMPs were implemented during the previous calendar year. The report shall include the items required in Section 1 of the permit. The report shall also include an analysis of the effectiveness of BMPs implemented, how the operation of the facility was optimized, and plans for future BMP use.	01/31/2024
Annual Report: Submit an annual BMP report that shall indicate which BMPs were implemented during the previous calendar year. The report shall include the items required in Section 1 of the permit. The report shall also include an analysis of the effectiveness of BMPs implemented, how the operation of the facility was optimized, and plans for future BMP use.	01/31/2025
Continuation After Expiration: In the event that this permit is not reissued on time, the permittee shall continue to submit annual reports each year covering the BMPs implemented each calendar year.	

Explanation of Schedule

Concentrated aquatic animal production (CAAP) effluent limitations guidelines (ELGs) requires implementation of BMPs for all permitted CAAP facilities. The permittee shall ensure any major changes in operation of BMPs are approved prior to implementation.

5.2 Land Treatment Management Plan (Outfall 003)

A management plan is required for the land treatment system.

Required Action	Due Date
Land Treatment Management Plan: Submit an updated management plan to optimize the land treatment system performance and demonstrate compliance with Wisconsin Administrative Code NR 214.	10/01/2021

Explanation of Schedule

Standard schedule requesting an updated plan and/or verification of no changes. This plan shall be kept up to date and approved by the Department.

5.3 Land Application Management Plan

A management plan is required for the land application system.

Required Action	Due Date
Land Application Management Plan: Submit an updated management plan to optimize the land application system performance and demonstrate compliance with Wisconsin Administrative Code NR 214.	10/01/2021

Explanation of Schedule

Standard schedule requesting an updated plan and/or verification of no changes. This plan shall be kept up to date and approved by the Department.

5.4 Phosphorus Schedule - Continued Optimization

The permittee is required to optimize performance to control phosphorus discharges per the following schedule.

Required Action	Due Date

Optimization: The permittee shall continue to implement the optimization plan as previously approved to optimize performance to control phosphorus discharges. Submit a progress report on optimizing removal of phosphorus by the Due Date.	10/01/2021
Progress Report #2: Submit a progress report on optimizing removal of phosphorus.	10/01/2022
Progress Report #3: Submit a progress report on optimizing removal of phosphorus.	10/01/2023
Progress Report #4: Submit a progress report on optimizing removal of phosphorus.	10/01/2024
Progress Report #5: Submit a progress report on optimizing removal of phosphorus.	09/30/2025

Explanation of Schedule

Per s. 283.16(6)(a), Wis. Stats. the Department may include a requirement that the permittee optimize the performance of a point source in controlling phosphorus discharges, which may be necessary to achieve compliance with multi-discharger variance interim limits. This compliance schedule requires the permittee to continue to implement the optimization plan that was approved during the previous permit term.

5.5 Phosphorus Payment per Pound to County

The permittee is required to make annual payments for phosphorus reductions to the participating county or counties in accordance with s. 283.16(8), Wis. Stats, and the following schedule. The price per pound will be set at the time of permit reissuance and will apply for the duration of the permit.

Required Action	Due Date
Annual Verification of Phosphorus Payment to County: The permittee shall make a total payment to the participating county or counties approved by the Department by March 1 of each calendar year. The amount due is equal to the following: [(lbs of phosphorus discharged minus the permittee's target value) times ($54.23 per pound)] or $640,000, whichever is less. See the payment calculation steps in the Surface Water section. The permittee shall submit Form 3200-151 to the Department by March 1 of each calendar year indicating total amount remitted to the participating counties to verify that the correct payment was made. The first payment verification form is due by the specified Due Date. Note: The applicable Target Value is the TMDL derived limit value as defined by s. 283.16(1)(h), Wis. Stats. The "per pound" value is $50.00 adjusted for CPI.	03/01/2021
Annual Verification of Payment #2: Submit Form 3200-151 to the Department indicating total amount remitted to the participating counties.	03/01/2022
Annual Verification of Payment #3: Submit Form 3200-151 to the Department indicating total amount remitted to the participating counties.	03/01/2023
Annual Verification of Payment #4: Submit Form 3200-151 to the Department indicating total amount remitted to the participating counties.	03/01/2024
Annual Verification of Payment #5: Submit Form 3200-151 to the Department indicating total amount remitted to the participating counties.	03/01/2025
Continued Coverage: If the permittee intends to seek a renewed variance, an application for the MDV (Multi Discharger Variance) shall be submitted as part of the application for permit reissuance in accordance with s. 283.16(4)(b), Wis. Stats.	
Annual Verification of Payment After Permit Expiration: In the event that this permit is not reissued prior to the expiration date, the permittee shall continue to submit Form 3200-151 to the	

Department indicating total amount remitted to the participating counties by March 1 each year.	

Explanation of Schedule

Subsection 283.16(6)(b), Wis. Stats., requires permittees that have received approval for the multi-discharger variance (MDV) to implement a watershed project that is designed to reduce non-point sources of phosphorus within the HUC 8 watershed in which the permittee is located. The permittee has selected the "Payment to Counties" watershed option described in s. 283.16(8), Wis. Stats. Under this option the permittee shall make annual payment(s) to participating county(s) that are calculated based on the amount of phosphorus actually discharged during a calendar year in pounds per year less the amount of phosphorus that would have been discharged had the permittee discharged phosphorus at the TMDL-derived target value. The pounds of phosphorus discharged in excess of the target value is multiplied by a per pound phosphorus charge that will equal $54.23 per pound. This schedule requires the permittee to submit Form 3200-151 to the Department indicating the total amount remitted to the participating county(s).

Special Reporting Requirements

None

Other Comments:

None

Attachments:

Substantial Compliance Determination –
Water Quality Based and Categorical Effluent Limits with Map(s) – 7/16/2020
MDV Checklist – 7/14/2020
MDV Approval Letter – 7/14/2020
MDV Application – 7/9/2020

Proposed Expiration Date:

September 30, 2025

Justification Of Any Waivers From Permit Application Requirements

None, note that the Department is currently in the process of finalizing CAAP guidance that will include required application sampling that may be different and more than what has been required in past applications. Future permit applications will likely include additional required sampling.

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